

Customer No. 22,852
Attorney Docket No. **03495.0402**
(formerly 05394.0022)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Stewart COLE et al.**)
)
Application No.: 10/510,021)
) Group Art Unit: 1645
Filed: October 1, 2004)
) Examiner: Rodney P. Swartz
For: **IDENTIFICATION OF VIRULENCE**)
 ASSOCIATED REGIONS RD1 AND) Confirmation No. 3824
 RD5 LEADING TO IMPROVE)
 VACCINE OF M. BOVIS BCG AND M.)
 MICROTI)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DEPOSIT DECLARATION

I, Danielle Berneman, do hereby declare:

1. I am a citizen of France.
2. I am the Director of the Patents and Inventions Office of the Institut Pasteur in Paris, France, to whom this patent application is assigned.
3. On information and belief, cosmid RD1-2F9, disclosed in this application, was deposited on April 2, 2002, under the provisions of the Budapest Treaty at the Collection Nationale De Cultures De Microorganismes (C.N.C.M.) in Paris, and assigned Accession No. I-2831.
4. On information and belief, cosmid RD1-AP34, disclosed in this application, was deposited on April 2, 2002, under the provisions of the Budapest Treaty at the Collection Nationale De Cultures De Microorganismes (C.N.C.M.) in Paris, and assigned Accession No. I-2832.

5. On information and belief, the C.N.C.M has acquired the status of International Depository Authority within the meaning of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of the Patent Procedure.

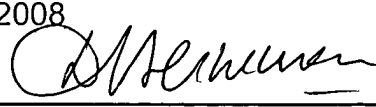
6. On information and belief, all restrictions on the availability to the public of the deposited cultures will be irrevocably removed no later than the granting of a patent from the above-identified application.

7. On information and belief, Institut Pasteur will replace deposited culture CNCM I-2831, should it become non-viable during the period that extends thirty (30) years from the date of the deposit, or the period of the enforceable life of the patent, or the period of five years after the last public request for the deposit, whichever period is longest.

8. On information and belief, Institut Pasteur will replace deposited culture CNCM I-2832, should it become non-viable during the period that extends thirty (30) years from the date of the deposit, or the period of the enforceable life of the patent, or the period of five years after the last public request for the deposit, whichever period is longest.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements might jeopardize the validity of the application or any patent issued therefrom.

Signed this 28th day of January, 2008



Danielle Berneman
Director of Patents and Inventions Office
Institut Pasteur